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PATENT APPLICATION  
CH-8306  
LeA 36,207**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF )  
RAINER BRUNS ET AL )  
SERIAL NUMBER: 10/522,865 )  
FILED: JANUARY 28, 2005 )  
TITLE: SUBSTITUTED THIAZINES AS )  
MATERIAL PROTECTING AGENTS )

**SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 37 CFR 1.53**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated July 25, 2005, enclosed is a Combined Declaration and Power of Attorney, executed by all of the inventors, to complete the subject application which was filed on January 28, 2005. Also enclosed is a Formalities Letter as required. The Notification of Missing Requirements Under 35 U.S.C. 371 states that "This Application clearly fails to comply with the requirements of 37 CFR 1.821-1.825" regarding sequence listings.

This patent application does not contain a sequence listing, thus these requirements should not be in question.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 or facsimile transmitted to the USPTO on the date below

Diderico van Emd, Reg. No. 38,641  
Name of applicant, assignee or Registered Representative

Signature

**LANXESS**

Energizing Chemistry

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SEP 19 2005

**LANXESS Corporation****Fax Coversheet****Date:** September 19, 2005**Number of pages (including this page):** 8**To:** GROUP NO.:**From:** Diderico van Eyl**Company:** USPTO**Div/Dept.:** Law/Intellectual Property**Fax:** 571-273-8300**Fax:** 412-809-1054**Phone:****Phone:** 412-809-2231**DOCKET NO.:** CH-8306/LeA 36,207**SERIAL NO.:** 10/522,865

Please find a copy of a Submission of Missing Parts of Application Under 37 CFR 1.53, Formalities Letter, Combined Declaration and Power of Attorney and a Form PTO 2038.

If you have any questions please call.

/ksl

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**NOTICE OF CONFIDENTIALITY**

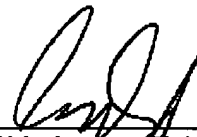
The information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client privilege, attorney work product, and/or exempt from disclosure under applicable law and is intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that inadvertent disclosure of this information to you does not constitute a waiver of confidentiality or privilege and that any review, disclosure, copying, or use of the contents of the facsimile by you is prohibited. If you have received this facsimile in error, please immediately call the sender collect at the above phone number, so that we can arrange for the return of the original facsimile at our cost.

Please charge the fee for filing the Declaration on a date later than the filing date, \$130.00, to the Credit Card as indicated on the attached Form PTO 2038. This paper is also authorization to charge any insufficiency of fees or credit any overpayment which may be required by this paper to Deposit Account Number 50-2527.

Having now complied with all of the requirements under 37 CFR 1.53(d), Applicants request that the file be forwarded for examination.

Respectfully submitted,

By

  
Diderico van Eyl  
Attorney for Applicants  
Reg. No. 28,641

LANXESS Corporation  
Law & Intellectual Property Department  
111 RIDC Park West Drive  
Pittsburgh, Pennsylvania 15275-1112  
(412) 809-2231  
FACSIMILE PHONE NUMBER:  
(412) 809-1054

/ksl

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Address: COMMISSIONER FOR PATENTS  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,865	Rainer Bruns	CH-8306/LeA 36,207

INTERNATIONAL APPLICATION NO.
PCT/EP03/07587

LA. FILING DATE	PRIORITY DATE
07/14/2003	07/29/2002

Lanxess Corporation  
Law & Intellectual Property Department  
111 RIDC Park West Drive  
Pittsburgh, PA 15275-1112

CONFIRMATION NO. 4721

371 FORMALITIES LETTER



\*0000000016600008\*

Date Mailed: 07/25/2005

9/25/05 - Complete -  
include statement that  
applic. does not contain  
sequence listing

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/28/2005
- English Translation of the IA filed on 01/28/2005
- Copy of the International Search Report filed on 01/28/2005
- Copy of IPE Report filed on 01/28/2005
- U.S. Basic National Fees filed on 01/28/2005
- Priority Documents filed on 01/28/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

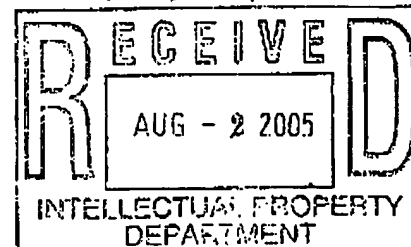
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29820 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after



September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 2 - OFFICE COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,865	PCT/EP03/07587	CH-8306/LeA 36,207

FORM PCT/DO/EO/805 (371 Formalities Notice)